

From: dh
To: Microsoft ATR
Date: 1/25/02 11:11pm
Subject: microsoft settlement

To Whom It May Concern:

I'm a self-employed IT professional working primarily with personal computers; I use, and support users of, various operating systems, including Macintosh and several flavors of Windows.

Although I've not read all the documents relating to the current proposed settlement in U.S. v. Microsoft (Civil Action No. 98-1232), I have been avidly following the case since it began. Based on my understanding of the industry, Microsoft's role in it, and the courts' findings relative to same, I am flabbergasted and appalled at the terms of the proposed settlement.

Microsoft enjoys a virtual monopoly over large segments of the market, and has engaged in illegal practices in furtherance of this position. Remedies, by definition, should seek to undo the damage inflicted by these practices. The proposed settlement doesn't simply fail in this regard; it will actually exacerbate the damage.

It's long been understood that seeding schools with proprietary technology results in increased sales of that technology to those who've been exposed to it thereby. The reason for this is pretty obvious: people tend to buy those products with which they are familiar, and therefor comfortable. Education being one of the few PC markets that Microsoft doesn't currently dominate, any steps that increase the company's presence in that market will thus have a magnified effect.

So, donating equipment and software to schools is simply good business practice from Microsoft's perspective. This is so even if the real cost of those donations to the company is high, which may or may not be true in this instance, and even if the value to the schools is also high--again, an open question. I am baffled as to how anyone could fail to see the granting by Microsoft of large quantities of its products to the public school system, as being anything other than a boon to the company.

In short, I believe that any meaningful settlement to this case would simultaneously benefit the public, mitigate some of the competitive damage which has resulted from Microsoft's illegal behavior, and discourage the company from behaving in such a fashion in the future.

The proposed settlement fails miserably to meet these criteria, and should be scrapped.

Sincerely,

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